

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 15, 1997

DIVISION ONE

B110587 People (Not for Publication)
v.
Cardona

We affirm the judgment.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B111590 People (Not for Publication)
v.
Hines

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Ortega, J.

DIVISION TWO

B104331 Industrial Asphalt (Not for Publication)
v.
Moorefield Construction et al.

The judgment shall be affirmed. The matter shall be reversed and remanded to the trial court for a determination of the proper amount of attorney fees to be awarded to Industrial with respect to the proceedings below and this appeal. Industrial shall be awarded its costs on appeal.

Nott, J.

We concur: Boren, P.J.
 Fukuto, J.

DIVISION TWO (Continued)

B081544 California Coastal Commission (Certified for Publication)
 v.
 Buckley, et al.

The judgment in the declaratory relief action (case No. BC044916) is affirmed. The judgment in the cross-complaint for damages (case No. SC015614) and the award of attorney fees and costs are reversed. Each party is to bear its own costs on appeal.

Nott, J.

We concur: Boren, P.J.
 Zebrowski, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Aranda, J. (Assigned), and Valorie Gray, Deputy Clerk.

Each of the following:

B112090 County of L.A. v. Romona A.
B107819 People v. Parker
B108171 People v. Young
B107801 People v. Nakla
B107104 People v. Brown
B107409 People v. Louis Steve G.
B106800 People v. Alatorre
B115054 Karie G. v. S.C.L.A.
B102563 People v. Rodriguez
B114645 Raul R. v. S.C.L.A.
B102131 People v. Ramirez & Hernandez
B104279 People v. Shelmon
B102830 People v. Dominguez
B106184 People v. Ochoa
B108406 People v. Bland
B104912 People v. Meza
B107848 People v. Steele
B108254 People v. Stephens

Argument waived, cause submitted.

DIVISION THREE (Continued)

B096395 People
 v.
 Martinez & Vizcarra

Merits:
Argued by Stephen Romero for appellant and by Valerie Baker, deputy attorney general for respondent. Cause submitted.

B107542 People
 v.
 Correa

Merits:
Argued by Tamila C. Jensen for appellant and by Christina Russotto, deputy attorney general for respondent. Cause submitted.

B100230 Gallimore
 v.
 George Hyman Construction Company

Merits:
Argued by Paul Bacigalupo for respondent. Argument waived by appellant. Cause submitted.

B107290 People
 v.
 Cooke

Merits:
Argued by Barbara Michel for appellant and by Christina Russotto, deputy attorney general for respondent. Cause submitted.

DIVISION THREE (Continued)

B094578 Cel-Tech Communications
 v.
 L.A. Cellular Telephone Company

Merits:

Argued by Charles Kagay for appellant and by Robert C. Bonner for respondent. Cause submitted.

B090785 Dunn-Edwards Corporation
B104340 v.
 So. Coast Air Quality Management District

Merits:

Argued by William M. Smiland for appellant and by James E. Ryan, deputy attorney general, Fran Layton, Thomas H. Crawford and William M. Dillon for respondents. Cause submitted.

B113884 State of California, et al.
 v.
 S.C.L.A.

Merits:

Argued by Daniel Helfat, deputy attorney general for petitioners and by Thomas N. Charchut for real parties in interests. Cause submitted.

Court recessed at 12:30 P.M.

The Court reconvened at 2:00 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Aranda, J. (Assigned), and Valorie Gray, Deputy Clerk.

B102970 Bockrath
 v.
 Hughes Aircraft Company

Merits:

Argued by Raphael Metzger for appellant and by Polly T. Dennis for respondent. Cause submitted.

DIVISION THREE (Continued)

B111876 Dept. of Children & Family Services

v.

Alicia R. & Roger S.

Merits:

Argued by Kim D. Kedeshian, deputy county counsel for respondent and by Kimberly A. Knill for appellant. Cause submitted.

B091351 Herman

v.

San-Val Associates I

Merits:

Argued by C. Timothy O'Malley for appellant and by Jules L. Kabat for respondent. Cause submitted.

B098347 Portman

v.

Turner Broadcasting System, Inc.

Merits:

Argued by Eric C. Jacobson for appellant and by Gary Ignatin for respondent. Cause submitted.

B105571 Lechuza Villas West

v.

California Coastal Commission, et al.

Merits:

Argued by Fred N. Gaines for appellant and by Joseph Barbieri, deputy attorney general and Terence M. Sternberg for respondents. Cause submitted.

DIVISION THREE (Continued)

B100711 People
v.
Clarke

Merits:

Argued by Gary D. Olive for appellant and by Michael J. Egan, deputy attorney general for respondent. Cause submitted.

B103078 Shapiro
v.
Sutherland, et al.

Merits:

Argued by John M. Carmack for appellant and by Jeff C. Marderosian and
by H. James Keathely for respondents. Cause submitted.

Court adjourned at 5:30 P.M.

DIVISION FOUR

B099795 People (Not for Publication)
v.
Marquez

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Epstein, J., Baron, J.

B107805 People (Not for Publication)
v.
Shorter

The Court:

The judgment is affirmed.

Vogel (C.S.), P.J., Hastings, J., Baron, J.

October 15, 1997-Continued

DIVISION FIVE

B112182 People (Not for Publication)
v.
Ronald B. Golden

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B105469 People (Not for Publication)
v.
Corvice Orlanderick Conner

The judgment is modified to award defendant 104 days of presentence conduct credits. The superior court clerk is to prepare an amended abstract of judgment reflecting there additional credits and forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B103176 People (Certified for Publication)
v.
Jerome M. Johnson

The judgment is reversed with directions that, if the People do not bring defendant to trial within 60 days after the filing of the remittitur in the trial court pursuant to section 1382, subdivision (2), the trial court shall proceed as if the remittitur constituted a modification of the judgment to reflect a conviction of Vehicle Code section 14610 and shall resentence defendant accordingly.

Armstrong, J.

I concur: Grignon, J. (opinion)
I dissent: Turner, P.J. (opinion)

October 15, 1997-Continued

DIVISION SIX

[illegible]

The judgment is affirmed.

Gilbert, J.

We concur: Stone, P.J.
 Coffee, J.

DIVISION SEVEN

B110363 Insurance Environmental Litigation Assn.
B110393 v.
Los Angeles County, Superior Court
Montrose Chemical Corporation

Filed order denying petitioner's request for modification of opinion.

B109936 People (Not for Publication)
v.
Benevides

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

B111785 People (Not for Publication)
v.
Smith

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

October 15, 1997-Continued

DIVISION SEVEN (Continued)

B110835 People (Not for Publication)
v.
Ford

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B108462 People (Not for Publication)
v.
Maeshack

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B106180 People (Not for Publication)
v.
Haberman

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

DIVISION SEVEN (Continued)

B102658 People v. Horan (Not for Publication)

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
Woods, J.

B105942 People (Not for Publication)
v.
Tangseefa

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B107248 Ben-KiKi- (Not for Publication)
v.
Linder, et al.

The judgment dismissing the cause of action for strict products liability is affirmed. The summary judgment on the cause of action for negligence and premises liability is reversed and the cause remanded for further proceedings consistent with this opinion. Appellant to recover her costs of appeal.

Johnson, J.

We concur: Lillie, P.J.
Woods, J.

DIVISION SEVEN (Continued)

B105761 Golden Eagle Ins. Company (Not for Publication)
 v.
 Westco Contractors, Inc.

The judgment is affirmed. Respondent to recover its costs on appeal.

Johnson, J.

We concur: Lillie, P.J.
 Neal, J.